

1 Marc M. Seltzer (SBN 54534)
mseltzer@susmangodfrey.com
2 Steven G. Sklaver (SBN 237612)
ssklaver@susmangodfrey.com
3 Oleg Elkhunovich (SBN 269238)
oelkhunovich@susmangodfrey.com
4 Krysta Kauble Pachman (280951)
kpachman@susmangodfrey.com
5 Nicholas N. Spear (304281)
nspear@susmangodfrey.com
6 SUSMAN GODFREY L.L.P.
1900 Avenue of the Stars, 14th Floor
7 Los Angeles, CA 90067
Telephone: (310) 789-3100
8 Facsimile: (310) 789-3150

9 James Q. Taylor-Copeland (SBN 284743)
james@taylorcopelandlaw.com
10 TAYLOR-COPELAND LAW
501 W. Broadway, Suite 800
11 San Diego, CA 92101
Telephone: (619) 400-4944
12 Facsimile: (619) 566-4341

14 | Counsel for Lead Plaintiff Bradley Sostack

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

19 | In re RIPPLE LABS INC. LITIGATION.

Case No. 4:18-cv-06753-PJH

21 || This Document Relates to:

22 | ALL ACTIONS

**LEAD PLAINTIFF'S STATEMENT IN
SUPPORT OF SEALING MATERIALS
IDENTIFIED IN DEFENDANTS'
ADMINISTRATIVE MOTION TO
CONSIDER WHETHER ANOTHER
PARTY'S MATERIALS SHOULD BE
SEALED (ECF NO. 200)**

(Civil L.R. 79-5)

Judge: Hon. Phyllis J. Hamilton

1
 2 Pursuant to Northern District of California Civil Local Rules 7-11, 79-5(c), 79-5(f), and
 3 this Court's Standing Order, Plaintiff Bradley Sostack ("Plaintiff") respectfully submits this
 4 statement and declaration in response to Defendants' Administrative Motion to Consider Whether
 5 Another Party's Materials Should be Sealed (ECF No. 200). Plaintiff seeks an order sealing
 6 portions of Defendants' Opposition to Lead Plaintiff's Motion for Class Certification filed on
 7 February 2, 2023, and Exhibits 6 and 8 to the Strong Declaration in support thereof, as those
 8 materials contain numerous references to Plaintiff's confidential financial affairs.

9 The excerpts of the transcript of Mr. Sostack's deposition included in Exhibit 6 contain
 10 numerous references to Plaintiff's private financial affairs, including information regarding a
 11 limited liability company created by Plaintiff, Plaintiff's ownership of various digital assets,
 12 Plaintiff's use of wallets to store digital assets, and specific transactions in various digital assets.
 13 Declaration of James Taylor-Copeland ("Taylor-Copeland Decl."), ¶ 4. These excerpts overlap
 14 largely with excerpts of the same deposition which this Court sealed in a January 26, 2023 Order.
 15 ECF No. 196. Exhibit 6 also contains detailed information regarding Mr. Sostack and his family's
 16 private living arrangements.

17 Exhibit 8 contains Plaintiff's detailed trading records and know-your-customer information
 18 on the Poloniex exchange. The trading records reflect Plaintiff's "confidential financial affairs,"
 19 including the timing of Plaintiff's deposits and purchases of both XRP and various other digital
 20 assets. *See* Taylor-Copeland Decl. at ¶ 5. The Court sealed references to these same records in its
 21 January 26, 2023 Order. Exhibit 8 also contains extremely sensitive personally identifiable
 22 information, including a photocopy of Plaintiff's passport and a record of all IP addresses used to
 23 access the Poloniex exchange. *Id.*

24 The redacted portions of Defendants' Opposition to Class Certification similarly contain
 25 contain detailed references to (a) Plaintiff's trading records on the Poloniex exchange and (b)
 26 excerpts of the transcript of Plaintiff's deposition. As laid out above, both the trading records and
 27 references to the deposition transcript reflect Plaintiff's confidential financial information. *Id.* at
 28 ¶ 6.

“It has been well established that the rights of privacy extend to one’s confidential financial affairs.” *Christensen-Thorson v. E*TRADE Fin. Corp.*, 2006 WL 8431340, at *3 (N.D. Cal. July 11, 2006); *see also Ryan v. Editions Ltd. W., Inc.*, 2007 WL 2348724, at *3 (N.D. Cal. Aug. 14, 2007) (“Private financial records are normally entitled to privacy protections.”); *Valley Bank of Nevada v. Superior Ct.*, 15 Cal. 3d 652, 656 (1975) (“right of privacy extends to one’s confidential financial affairs.”).

If these documents are not properly sealed, Plaintiff's personal and private financial records will become part of the public record, thereby eviscerating Plaintiff's privacy and potentially exposing him to harassment and/or identity theft. Taylor-Copeland Decl. at ¶ 6. There is thus no less restrictive alternative to sealing that will protect Plaintiff's privacy in his confidential financial affairs. Plaintiff therefore respectfully requests that the Court seal the following materials.

Documents to be Sealed	Portions to Be Sealed
Defendants' Opposition to Class Certification	<ul style="list-style-type: none"><li data-bbox="974 1047 1286 1066">• Page 7, lines 3-7.<li data-bbox="974 1089 1286 1110">• Page 18, lines 7-10.<li data-bbox="974 1134 1224 1155">• Page 18, fn. 15.
Ex. 6, Excerpts of Sostack Deposition Transcript	Entirety of document
Ex. 8, Plaintiff's Poloniex Trading Records and Know-You-Customer Information	Entirety of document

Dated: February 10, 2023

By: /s/ Nicholas N. Spear
Marc M. Seltzer (54534)
Steven G. Sklaver (237612)
Oleg Elkhunovich (269238)
Krysta Kauble Pachman (280951)
Nicholas N. Spear (304281)
SUSMAN GODFREY L.L.P.
1900 Avenue of the Stars, Suite 1400
Los Angeles, CA 90067-6029
Telephone: (310) 789-3100
Facsimile: (310) 789-3150

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oelkhunovich@susmangodfrey.com
kpachman@susmangodfrey.com
nspear@susmangodfrey.com

James Q. Taylor-Copeland (284743)
TAYLOR-COPELAND LAW
501 W. Broadway, Suite 800
San Diego, CA 92101
james@taylorcopelandlaw.com
Telephone: (619) 400-4944
Facsimile: (619) 566-4341

Counsel for Lead Plaintiff Bradley Sostack

CERTIFICATE OF SERVICE

I hereby certify that on February 10, 2023, I electronically filed the foregoing document with the clerk of the Court and served counsel of record via the CM/ECF system.

/s/ Nicholas N. Spear